

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

SECOND DAY'S PROCEEDINGS

**Thirty-First Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 26, 2005

The Senate was called to order at 5:00 o'clock P.M., by Hon.
Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their
names:

PRESENT

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Schedler |
| Cain | Jackson | Smith |
| Chaisson | Jones | Theunissen |
| Cravins | Kostelka | Ullo |
| Dardenne | Lentini | |
| Duplessis | Malone | |
| Total - 34 | | |

ABSENT

| | | |
|-----------|-----------|-----------|
| Cheek | Ellington | McPherson |
| Total - 3 | | |

The President of the Senate announced there were 34 Senators
present and a quorum.

Prayer

The prayer was offered by Reverend David Diamond, following
which the Senate joined in pledging allegiance to the flag of the
United States of America.

Reading of the Journal

On motion of Senator Bajoie, the reading of the Journal was
dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules
for the purpose of introducing and reading the following Resolutions,
Senate and Concurrent, a first and second time and acting upon them
as follows:

**SENATE RESOLUTION NO. 14—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
National Guard Sergeant Isiah J. Sinclair upon his death in
Operation Iraqi Freedom.

On motion of Senator Marionneaux, the resolution was read by
title and adopted.

**SENATE RESOLUTION NO. 15—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
National Guard Specialist Warren A. Murphy upon his death in
Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 16—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
Specialist Robert L. duSang upon his death in Operation Iraqi
Freedom.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 17—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
Sergeant Rene Knox, Jr., upon his death in Operation Iraqi
Freedom.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 18—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
Staff Sergeant Robert J. Mogensen upon his death in Operation
Enduring Freedom.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 19—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Army
National Guard Sergeant Michael S. Evans II, upon his death in
Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 20—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the
Legislature of Louisiana to the family of United States Marine
Corps Lance Corporal Larry L. Wells upon his death in
Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

**SENATE RESOLUTION NO. 21—
BY SENATOR MARIONNEAUX**

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature
of Louisiana upon the death of United States Marine Corps
Sergeant Jeffrey L. Kirk.

The resolution was read by title; lies over under the rules.

Page 2 SENATE

April 26, 2005

2nd DAY'S PROCEEDINGS

SENATE RESOLUTION NO. 22—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Louisiana Senate upon the death of Specialist Charles "C.C." Persing of the United States Army's 10th Mountain Division (Light Infantry) based in Fort Drum, New York, on July 20, 2004.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 23—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Sergeant Paul M. Heltzel of the United States Army National Guard, 2nd Battalion, 156th Infantry Regiment, 256th Brigade Combat Team.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 24—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Christopher J. Ramsey upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 25—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Christopher J. Babin upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 26—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Corporal Bradley J. Bergeron upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 27—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of First Lieutenant Christopher W. Barnett of the United States Army National Guard's 1st Battalion, 156th Armor Regiment, 256th Brigade Combat Team.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 28—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Specialist Armand "Luke" Frickey upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 29—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Specialist Craig L. Nelson upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 30—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Seth Randell Trahan upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 31—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Justin D. McLeese upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 32—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere condolences of the Senate of the Legislature of Louisiana upon the death of United States Army Private First Class Torey J. Dantzler in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 33—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Toby W. Mallet upon the first anniversary of his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 34—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Joseph C. Thibodeaux upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 35—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United State Army Private First Class Wilfred D. Bellard upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 36—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Private First Class David P. Burrige upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 37—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Staff Sergeant William F. Manuel upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 38—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Private First Class Lionel Ayro upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 39—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Staff Sergeant Jonathan R. Reed upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 40—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Major Barbaralien Banks upon her death in Operation Enduring Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 41—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Captain Gussie M. Jones upon her death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 42—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist Levi B. Kinchen upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 43—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Lance Corporal Jeremiah Kinchen upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 44—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Nicholas J. Olivier upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 45—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Reserve Command Sergeant Major Edward C. Barnhill upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 46—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Specialist James P. Lambert upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 47—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Huey P.L. Fassbender upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 48—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Specialist Jeremy M. Heines upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 49—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant First Class Kirk J. Comeaux upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

Page 4 SENATE

April 26, 2005

2nd DAY'S PROCEEDINGS

SENATE RESOLUTION NO. 50—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Robert W. Sweeney III upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 51—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Staff Sergeant Craig Davis upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 52—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Floyd G. Knighten, Jr., upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 53—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Sergeant Taft V. Williams upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 54—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Private First Class Kristian E. Parker upon his death in the Persian Gulf Theater of Operations.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 55—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army National Guard Sergeant Lee M. Godbolt upon his death in Operation Iraqi Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 56—

BY SENATOR MARIONNEAUX

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Army Corporal David M. Fraise upon his death in Operation Enduring Freedom.

The resolution was read by title; lies over under the rules.

SENATE RESOLUTION NO. 57—

BY SENATOR BAJOE

A RESOLUTION

To commend the office of public health within the Department of Health and Hospitals for developing the Louisiana's Chronic Kidney Disease Surveillance Report.

On motion of Senator Bajoie, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 58—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Senator Ronald C. "Ron" Bean, a Louisiana hero.

On motion of Senator Hines, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATOR BAJOE

A CONCURRENT RESOLUTION

To urge and request the office of public health, Department of Health and Hospitals to study the possibility of including fresh fruits, vegetables, and cut herbs purchased from any authorized WIC provider, as approved items to be purchased with WIC coupons.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study the impact of the state's sliding fee scale on the availability, affordability, and the quality of child care services funded by the Child Care Development Fund.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of State Senator John J. Hainkel, Jr., former speaker of the House of Representatives and president of the Senate.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Schedler |

| | | |
|-----------|----------|------------|
| Cain | Jackson | Smith |
| Chaisson | Jones | Theunissen |
| Cravins | Kostelka | Ullo |
| Dardenne | Lentini | |
| Duplessis | Malone | |

Total - 34

NAYS

Total - 0

ABSENT

| | | |
|-------|-----------|-----------|
| Cheek | Ellington | McPherson |
|-------|-----------|-----------|

Total - 3

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATOR MOUNT

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of L.A. "Buddy" Henagan, Mayor of DeQuincy.

The resolution was read by title. Senator Mount moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Duplessis | Malone |
| Adley | Dupre | Marionneaux |
| Amedee | Fields | Michot |
| Bajoie | Fontenot | Mount |
| Barham | Gautreaux B | Murray |
| Boasso | Gautreaux N | Nevers |
| Broome | Heitmeier | Romero |
| Cain | Hollis | Schedler |
| Chaisson | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |

Total - 33

NAYS

Total - 0

ABSENT

| | |
|-----------|-----------|
| Cheek | Jackson |
| Ellington | McPherson |

Total - 4

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATOR JACKSON

A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Task Force on Indigent Defense Services.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Judiciary C.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATOR THEUNISSEN AND REPRESENTATIVE MORRISH

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Vincent J. Berken.

The resolution was read by title. Senator Theunissen moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Bajoie | Gautreaux B | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Schedler |
| Cain | Jackson | Smith |
| Chaisson | Jones | Theunissen |
| Cravins | Kostelka | Ullo |
| Dardenne | Lentini | |
| Duplessis | Malone | |

Total - 34

NAYS

Total - 0

ABSENT

| | | |
|-------|-----------|-----------|
| Cheek | Ellington | McPherson |
|-------|-----------|-----------|

Total - 3

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**Senate Bills and Joint Resolutions
on Second Reading to be Referred**

The following Senate Bills and Joint Resolutions were read and referred to committees as follows:

SENATE BILL NO. 276—
BY SENATOR B. GAUTREAUX
AN ACT

To amend and reenact R.S. 30:2015.1, relative to coastal wetland areas and remediation of certain areas; to provide relative to coastal wetland areas; to provide relative to remediation of coastal wetland areas and usable ground water; to provide certain terms, conditions, definitions, procedures, and requirements; to provide relative to actions by the Department of Natural Resources and Department of Environmental Quality; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and returned to the Calendar, subject to call.

**Senate Resolutions
on Second Reading**

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 7—
BY SENATOR FIELDS
A RESOLUTION

To proclaim Thursday, April 28, 2005, as Workers' Memorial Day in recognition of workers killed, injured and disabled on the job.

On motion of Senator Fields, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 8—
BY SENATOR BROOME
A RESOLUTION

To acknowledge the service of Claude Jeffrey LeDuff and to commend him on his much deserved appointment as the new Chief of the Baton Rouge Police Department.

On motion of Senator Broome, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 11—

BY SENATORS ELLINGTON, HINES, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

A RESOLUTION

To designate the Senate Briefing Room as the "John J. Hainkel, Jr. Room."

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

**Senate Concurrent Resolutions
on Second Reading**

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 8—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To designate April 28, 2005 as "Youth Personal Financial Literacy Day at the Louisiana State Capitol."

The resolution was read by title. Senator Broome moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Dupre | Marionneaux |
| Adley | Fields | Michot |
| Amedee | Fontenot | Mount |
| Barham | Gautreaux N | Murray |
| Boasso | Heitmeier | Nevers |
| Broome | Hollis | Romero |
| Cain | Jackson | Schedler |
| Chaisson | Jones | Smith |
| Cravins | Kostelka | Theunissen |
| Dardenne | Lentini | Ullo |
| Duplessis | Malone | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------------|-----------|
| Bajoie | Ellington | McPherson |
| Cheek | Gautreaux B | |
| Total - 5 | | |

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 9—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To designate and proclaim April 2005 as "Habitat for Humanity-Vinyl Partners Spirit Blitz Build Month" and recognize the work of Habitat for Humanity of Greater Baton Rouge, the Louisiana vinyl industry, the Vinyl Partners for Humanity, LSU School of Design, LSU Greek organizations, and other corporate and community partners working together to build six new homes in Baton Rouge and Plaquemine, and to urge Louisiana

communities to support Habitat for Humanity projects across the state.

The resolution was read by title. Senator Broome moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-------------|-------------|
| Mr. President | Duplessis | Marionneaux |
| Adley | Dupre | Michot |
| Amedee | Fields | Mount |
| Bajoie | Fontenot | Murray |
| Barham | Gautreaux N | Nevers |
| Boasso | Heitmeier | Romero |
| Broome | Hollis | Schedler |
| Cain | Jackson | Smith |
| Chaisson | Kostelka | Theunissen |
| Cravins | Lentini | Ullo |
| Dardenne | Malone | |
| Total - 32 | | |

NAYS

Total - 0

ABSENT

| | | |
|-----------|-------------|-----------|
| Cheek | Gautreaux B | McPherson |
| Ellington | Jones | |
| Total - 5 | | |

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 26, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize September of 2005 as Parent Teacher Association Month in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To recognize Saturday, May 7, 2005, as Air Force ROTC Detachment 311 Day and to commend Air Force ROTC Detachment 311 of Grambling State University.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE LANCASTER AND SENATOR JONES
A CONCURRENT RESOLUTION

To commend Allen H. Reynolds upon his retirement as director of the Louisiana Department of State Civil Service and recognizes his contributions during more than three decades of highly productive public service.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE KLECKLEY
A CONCURRENT RESOLUTION

To commend Dr. Aretta J. Rathmell of Lake Charles for receiving the Edward H. Knight, M.D. Lifetime Achievement Award presented by the Louisiana Psychiatric Medical Association and for her outstanding contributions in the field of mental health throughout her career.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT
A CONCURRENT RESOLUTION

To commend Michael Chase Courtney of Holden upon attaining the rank of Eagle Scout.

HOUSE CONCURRENT RESOLUTION NO. 61—

BY REPRESENTATIVE BOWLER AND SENATOR LENTINI
A CONCURRENT RESOLUTION

To commend Betty Vollenweider Reed upon the occasion of her retirement as a third grade teacher at St. Rita School in Harahan.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 25, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVES CROWE, BURNS, T. POWELL, SCHNEIDER, STRAIN AND WINSTON AND SENATORS BOASSO, HAINKEL, NEVERS AND SCHEDLER

A CONCURRENT RESOLUTION

To commend Nvision Solutions as the recipient of the 2004 Governor's Technology Award for Innovator of the Year and to recognize its outstanding contributions to technology in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVES CROWE, BURNS, T. POWELL, SCHNEIDER, STRAIN AND WINSTON AND SENATORS BOASSO, HAINKEL, NEVERS AND SCHEDLER

A CONCURRENT RESOLUTION

To commend PamLab, L.L.C. for being named the Governor's 2004 Technology Awards Company of the Year and to recognize its outstanding contributions to technology in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To recognize the third Saturday in May annually as Friedrich's Ataxia Awareness Day in support of raising awareness of and searching for a cure for Friedrich's Ataxia.

HOUSE CONCURRENT RESOLUTION NO. 8—

BY REPRESENTATIVES BRUCE, BAYLOR, BURRELL, DOERGE, GLOVER, HOPKINS, MONTGOMERY, M. POWELL, SALTER, JANE SMITH AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON AND MALONE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of W. Peyton Shehee, Jr. of Shreveport and to recognize his singular accomplishments and contributions.

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVE SALTER
A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2005, as the seventh annual PAISA Day.

HOUSE CONCURRENT RESOLUTION NO. 10—

BY REPRESENTATIVES BRUCE, BAYLOR, BURRELL, DOERGE, GLOVER, HOPKINS, MONTGOMERY, M. POWELL, SALTER, JANE SMITH AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON AND MALONE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of former state legislator Algje Dee Brown of Shreveport and the enduring gratitude of the members for his outstanding contributions to Caddo Parish and the state of Louisiana, particularly during his twenty-four-year tenure as a distinguished member of the Louisiana House of Representatives.

HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVES SALTER, CRANE, AND THOMPSON AND SENATORS HINES, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To commend Mark Musick upon his retirement as president of the Southern Regional Education Board, to recognize and record his myriad accomplishments and his remarkable contributions to the field of education, and to extend to him best wishes as he embarks upon new challenges and endeavors.

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To commend Robert P. "Bob" Roth, Jr. of Hammond for his contributions to the state of Louisiana and the Louisiana Department of Transportation and Development upon the occasion of his retirement after thirty-four years of service.

HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of United States District Court Judge Morey L. Sear.

HOUSE CONCURRENT RESOLUTION NO. 14—

BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL
A CONCURRENT RESOLUTION

To commend Vincent "V. J." Bella and to express enduring gratitude for his outstanding contributions to the state of Louisiana, particularly during his tenure as state fire marshal and as a member of the legislature.

HOUSE CONCURRENT RESOLUTION NO. 15—

BY REPRESENTATIVE WRIGHT
A CONCURRENT RESOLUTION

To commend Lea Booker upon her recognition as a Distinguished Finalist in the 2005 Prudential Spirit of Community Awards.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of James A. Comiskey, Sr. of New Orleans.

Page 8 SENATE

April 26, 2005

2nd DAY'S PROCEEDINGS

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVES McDONALD, HUNTER, KATZ, KENNEY, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, JONES, AND KOSTELKA

A CONCURRENT RESOLUTION

To commend Mike Vining upon his retirement as head coach of the University of Louisiana at Monroe men's basketball team.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To designate the month of October annually as Creole Heritage Month.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To commend Tom Jaques upon his retirement as State Librarian of Louisiana and to recognize and record his singular contributions during three decades of highly effective and productive public service.

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To designate the second full week of September annually as Louisiana Chambers of Commerce Appreciation Week.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Marcus A. Hughes of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVES WHITE AND ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of former state representative Ernest Bernard Carrier, Sr. of Denham Springs and the enduring gratitude of the members for his outstanding contributions to Livingston Parish and the state of Louisiana, particularly during his eight-year tenure as a distinguished member of the House of Representatives.

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Judge John A. Patin.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Jedidiah B. Glascock of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Commodore Thomas J. Lupo of New Orleans and to recognize his outstanding accomplishments.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To commend Maxine "Pudge" Doucet upon being named Louisiana State Alliance for Health, Physical Education, Recreation and

Dance (AHPERD) Adapted Physical Activity Teacher of the Year.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize May 8, 2005, through May 14, 2005, as Food Allergy Awareness Week.

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To commend Daniel E. Mobley upon his retirement as president and chief executive officer of the Louisiana Travel Promotion Association.

HOUSE CONCURRENT RESOLUTION NO. 40—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Joshua G. Daugherty of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To commend Bishop Paul S. Morton, Sr. upon the occasion of his thirtieth anniversary as pastor of Greater St. Stephen Full Gospel Baptist Church.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Lance Corporal Justin Daniel McLeese.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE SALTER AND SENATOR HINES

A CONCURRENT RESOLUTION

To recognize May 3, 2005, as Junior League Day.

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To recognize May 4, 2005, as State Employee Recognition Day.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVES HUNTER, DORSEY, BADON, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

A CONCURRENT RESOLUTION

To commend Ambassador Andrew Young and to welcome him to the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVES DURAND, ALEXANDER, BALDONE, BAUDOIN, CAZAYOUX, CRAVINS, DARTEZ, DOVE, FAUCHEUX, FRITH, GEYMAN, E. GUILLORY, M. GUILLORY, HEBERT, JOHNS, KLECKLEY, LAFLEUR, LAMBERT, MORRIS, PIERRE, PINAC, PITRE, QUEZAIRE, ROBIDEAUX, ROMERO, SMILEY, GARY SMITH, JACK SMITH, ST. GERMAIN, TRAHAN, TRICHE, WALKER, AND WOOTON AND SENATORS AMEDEE, CAIN, CHAISSON, CRAVINS, DUPRE, B. GAUTREAUX, N. GAUTREAUX, MARIONNEAUX, MICHOT, MOUNT, ROMERO, AND THEUNISSEN

A CONCURRENT RESOLUTION

To recognize July 28, 2005, as a Day of Commemoration of the Great Upheaval in recognition of the suffering of the Acadian people and to encourage statewide observance of this special day.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions on First Reading

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVES CROWE, BURNS, T. POWELL, SCHNEIDER, STRAIN AND WINSTON AND SENATORS BOASSO, HAINKEL, NEVERS AND SCHEDLER

A CONCURRENT RESOLUTION

To commend Nvision Solutions as the recipient of the 2004 Governor's Technology Award for Innovator of the Year and to recognize its outstanding contributions to technology in Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVES CROWE, BURNS, T. POWELL, SCHNEIDER, STRAIN AND WINSTON AND SENATORS BOASSO, HAINKEL, NEVERS AND SCHEDLER

A CONCURRENT RESOLUTION

To commend PamLab, L.L.C. for being named the Governor's 2004 Technology Awards Company of the Year and to recognize its outstanding contributions to technology in Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVES DOWNS AND GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To recognize the third Saturday in May annually as Friedrich's Ataxia Awareness Day in support of raising awareness of and searching for a cure for Friedrich's Ataxia.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 6—
BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize September of 2005 as Parent Teacher Association Month in Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 8—
BY REPRESENTATIVES BRUCE, BAYLOR, BURRELL, DOERGE, GLOVER, HOPKINS, MONTGOMERY, M. POWELL, SALTER, JANE SMITH AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON AND MALONE

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of W. Peyton Shehee, Jr. of Shreveport and to recognize his singular accomplishments and contributions.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To commend the Public Administration Institute Student Association (PAISA) at Louisiana State University and to recognize April 13, 2005, as the seventh annual PAISA Day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVES BRUCE, BAYLOR, BURRELL, DOERGE, GLOVER, HOPKINS, MONTGOMERY, M. POWELL, SALTER, JANE SMITH AND WADDELL AND SENATORS ADLEY, CHEEK, JACKSON AND MALONE

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of former state legislator Algie Dee Brown of Shreveport and the enduring gratitude of the members for his outstanding contributions to Caddo Parish and the state of Louisiana, particularly during his twenty-four-year tenure as a distinguished member of the Louisiana House of Representatives.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVES SALTER, CRANE, AND THOMPSON AND SENATORS HINES, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To commend Mark Musick upon his retirement as president of the Southern Regional Education Board, to recognize and record his myriad accomplishments and his remarkable contributions to the field of education, and to extend to him best wishes as he embarks upon new challenges and endeavors.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To commend Robert P. "Bob" Roth, Jr. of Hammond for his contributions to the state of Louisiana and the Louisiana Department of Transportation and Development upon the occasion of his retirement after thirty-four years of service.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of United States District Court Judge Morey L. Sear.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 14—
BY REPRESENTATIVE BRUNEAU AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Vincent "V. J." Bella and to express enduring gratitude for his outstanding contributions to the state of Louisiana, particularly during his tenure as state fire marshal and as a member of the legislature.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 15—
BY REPRESENTATIVE WRIGHT

A CONCURRENT RESOLUTION

To commend Lea Booker upon her recognition as a Distinguished Finalist in the 2005 Prudential Spirit of Community Awards.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of James A. Comiskey, Sr. of New Orleans.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 20—

BY REPRESENTATIVES McDONALD, HUNTER, KATZ, KENNEY, THOMPSON, AND WALSWORTH AND SENATORS BARHAM, JONES, AND KOSTELKA

A CONCURRENT RESOLUTION

To commend Mike Vining upon his retirement as head coach of the University of Louisiana at Monroe men's basketball team.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 23—

BY REPRESENTATIVE TOWNSEND

A CONCURRENT RESOLUTION

To designate the month of October annually as Creole Heritage Month.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 24—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To commend Tom Jaques upon his retirement as State Librarian of Louisiana and to recognize and record his singular contributions during three decades of highly effective and productive public service.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 26—

BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To designate the second full week of September annually as Louisiana Chambers of Commerce Appreciation Week.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 30—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Marcus A. Hughes of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVES WHITE AND ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana to the family of former state representative Ernest Bernard Carrier, Sr. of Denham Springs and the enduring gratitude of the members for his outstanding contributions to Livingston Parish and the state of Louisiana, particularly during his eight-year tenure as a distinguished member of the House of Representatives.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Judge John A. Patin.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Jedidiah B. Glascock of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE BRUNEAU

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Commodore Thomas J. Lupo of New Orleans and to recognize his outstanding accomplishments.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE TOOMY

A CONCURRENT RESOLUTION

To commend Maxine "Pudge" Doucet upon being named Louisiana State Alliance for Health, Physical Education, Recreation and Dance (AHPERD) Adapted Physical Activity Teacher of the Year.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To recognize May 8, 2005, through May 14, 2005, as Food Allergy Awareness Week.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To commend Daniel E. Mobley upon his retirement as president and chief executive officer of the Louisiana Travel Promotion Association.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 40—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Joshua G. Daugherty of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE JEFFERSON

A CONCURRENT RESOLUTION

To commend Bishop Paul S. Morton, Sr. upon the occasion of his thirtieth anniversary as pastor of Greater St. Stephen Full Gospel Baptist Church.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Lance Corporal Justin Daniel McLeese.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE SALTER AND SENATOR HINES

A CONCURRENT RESOLUTION

To recognize May 3, 2005, as Junior League Day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE SALTER**A CONCURRENT RESOLUTION**

To recognize May 4, 2005, as State Employee Recognition Day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVES HUNTER, DORSEY, BADON, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, GALLOT, GLOVER, GRAY, E. GUILLORY, HONEY, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, QUEZAIRE, RICHMOND, AND SHEPHERD AND SENATORS BAJOE, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, AND MURRAY

A CONCURRENT RESOLUTION

To commend Ambassador Andrew Young and to welcome him to the state of Louisiana.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVES DURAND, ALEXANDER, BALDONE, BAUDOIN, CAZAYOUX, CRAVINS, DARTEZ, DOVE, FAUCHEUX, FRITH, GEYMAN, E. GUILLORY, M. GUILLORY, HEBERT, JOHNS, KLECKLEY, LAFLEUR, LAMBERT, MORRISH, PIERRE, PINAC, PITRE, QUEZAIRE, ROBIDEAUX, ROMERO, SMILEY, GARY SMITH, JACK SMITH, ST. GERMAIN, TRAHAN, TRICHE, WALKER, AND WOOTON AND SENATORS AMEDEE, CAIN, CHAISSON, CRAVINS, DUPRE, B. GAUTREAUX, N. GAUTREAUX, MARIONNEAUX, MICHOT, MOUNT, ROMERO, AND THEUNISSEN

A CONCURRENT RESOLUTION

To recognize July 28, 2005, as a Day of Commemoration of the Great Upheaval in recognition of the suffering of the Acadian people and to encourage statewide observance of this special day.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 55—

BY REPRESENTATIVE GALLOT AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To recognize Saturday, May 7, 2005, as Air Force ROTC Detachment 311 Day and to commend Air Force ROTC Detachment 311 of Grambling State University.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 57—

BY REPRESENTATIVE LANCASTER AND SENATOR JONES

A CONCURRENT RESOLUTION

To commend Allen H. Reynolds upon his retirement as director of the Louisiana Department of State Civil Service and recognizes his contributions during more than three decades of highly productive public service.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 59—

BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To commend Dr. Aretta J. Rathmell of Lake Charles for receiving the Edward H. Knight, M.D. Lifetime Achievement Award presented by the Louisiana Psychiatric Medical Association and for her outstanding contributions in the field of mental health throughout her career.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend Michael Chase Courtney of Holden upon attaining the rank of Eagle Scout.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVE BOWLER AND SENATOR LENTINI**A CONCURRENT RESOLUTION**

To commend Betty Vollenweider Reed upon the occasion of her retirement as a third grade teacher at St. Rita School in Harahan.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON**JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 48—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 38:1871, relative to gravity drainage and sub-drainage districts; to provide relative to civil immunity from liability for certain matters; to provide terms and conditions; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 75—

BY SENATOR ADLEY

AN ACT

To amend and reenact Code of Civil Procedure Article 4843(H) and (I), relative to the jurisdiction of city courts; to provide relative to the City Court of Springhill; to increase the jurisdictional amount in dispute; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 111—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 38:27, relative to damage claims against the state, its agencies, or employees; to provide relative to such claims involving the failure, operation, or approval of a dam located in this state; to define "dam"; to include the Toledo Bend Dam in such definition; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 130—

BY SENATOR ROMERO

AN ACT

To enact R.S. 9:203(E)(4), relative to marriage officiants, judges, and justices of the peace; to extend the authority for certain federal judges to preside over a marriage ceremony between May 16, 2005 and June 4, 2005; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 142—

BY SENATOR THEUNISSEN

AN ACT

To enact R.S. 33:4720.17(C)(4), 4720.31(C)(4), and 4720.47(D)(4), and R.S. 47:2183.1, relative to tax sales of immovable property and acquisition of adjudicated property from a political

subdivision; to provide relative to a tax debtor or other person seeking to redeem such property; to require such person to pay certain costs incurred relative to a tax sale; to require such person to pay certain costs incurred during acquisition of adjudicated property from a political subdivision; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 151—

BY SENATOR N. GAUTREAUX

AN ACT

To enact Part III-A of Chapter 1 of Title 29 of the Louisiana Revised Statutes of 1950, comprised of R.S. 29:311 through 319, relative to military, naval, and veterans' affairs; to provide certain exemptions from some terms and conditions of certain contracts entered into by active duty military personnel, and members of the Armed Forces Reserve and Louisiana National Guard who are activated pursuant to an executive order of the president of the United States, act of congress, or state law; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 153—

BY SENATOR MICHOT

AN ACT

To enact Code of Civil Procedure Art. 258, relative to clerks of court and official recorders; to provide relative to the filing of any recordable written instrument submitted by certain entities of the state or federal government or by certain financial institutions; to authorize the electronic filing and recording of such instruments; to require certification of conformity of such instruments to form and content required by law; to require certain endorsement of such filed instruments; to provide for procedures relative to receipt of such filed instruments; to provide relative to the effectiveness of such filed instruments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 196—

BY SENATORS BARHAM AND KOSTELKA

AN ACT

To amend and reenact Civil Code Article 466, relative to immovables; to provide relative to the definition of component parts of buildings and constructions; to include certain permanently attached parts in such definition; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ARTHUR J. "ART" LENTINI
Chairman

REPORT OF COMMITTEE ON**REVENUE AND FISCAL AFFAIRS**

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 73—

BY SENATOR N. GAUTREAUX

AN ACT

To provide for the taking of income and franchise tax credits for donations to certain playgrounds or recreational areas on amended returns; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 74—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 39:1405.3(B), relative to the issuance of industrial revenue bonds; to require the approval of the issuance of such bonds by certain local governmental entities in Bossier Parish prior to State Bond Commission approval; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 131—

BY SENATOR BAJOE

AN ACT

To amend and reenact R.S. 47:301(10)(y) and (18)(k), relative to state and political subdivision sales and use tax; to grant an exclusion from such tax for organizations which donate toys to children; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 138—

BY SENATOR MALONE

AN ACT

To amend and reenact R.S. 47:296.2©, 296.3©, and 1516.1(G)(2) and to enact R.S. 47:1584, relative to collection of taxes; to provide for an innocent spouse rule for the collection of taxes and related amounts; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 200—

BY SENATOR BAJOE

A JOINT RESOLUTION

Proposing to add Article VII, Section 21(C)(19) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 250—

BY SENATOR MOUNT

AN ACT

To amend and reenact Section 2 of Act No. 15 of the 1996 Regular Session of the Legislature, as amended by Act No. 47 of the 1998 Regular Session of the Legislature, Act No. 33 of the 2000 Regular Session of the Legislature, and Act No. 141 of the 2003 Regular Session of the Legislature, relative to sales and use taxes; to provide for the continued exclusion from state and local sales and use taxes certain transactions concerning certain private and parochial elementary and secondary schools; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 316—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 47:1837.1(A)(1), (B)(1), ©, and (D), relative to the Louisiana Tax Commission; to require a statewide ad valorem tax assessment database for publication on the Internet; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
WILLIE MOUNT
Chairman

REPORT OF COMMITTEE ON

**AGRICULTURE, FORESTRY, AQUACULTURE
AND RURAL DEVELOPMENT**

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

April 26, 2005

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

SENATE BILL NO. 109—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 3:555.8(B) and (C) and 555.9(A)(1), relative to the Louisiana Beef Industry Council; to authorize the council to increase the state assessment for participation in the Louisiana Beef Promotion and Research Program; and to provide for related matters.

Reported favorably.

Respectfully submitted,
MIKE SMITH
Chairman

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 26, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR SCHEDLER AND REPRESENTATIVE MCVEA
A CONCURRENT RESOLUTION

To recognize and commend Louisiana native Kim

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Mrs. Dolores "Dodie" Brisbi Treen, former first lady of Louisiana.

Reported without amendments.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

Leaves of Absence

The following leaves of absence were asked for and granted:

| | | | |
|-----------|-------|-----------|-------|
| Cheek | 1 Day | Ellington | 1 Day |
| McPherson | 1 Day | | |

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, April 27, 2005, at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Wednesday, April 27, 2005.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk